



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

TAKITA, et al.

Art Unit: 2823

Application No.: 09/046,671

Examiner: K. EATON

Filed: March 24, 1998

Attorney Dkt. No.: 108077-08003

For: SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME

DECLARATION UNDER 37 C.F.R. 1.132

Commissioner for Patents
Washington, D.C. 20231
Sir:

I, Mr. Tomoki Kubota, hereby state and declare as follows:

1. I am a citizen of Japan, with a work address of Exceed Yotsuya, 2nd Floor, 9, Daikyo-cho, Shinjuku-ku, Tokyo 160, Japan.
2. I am employed as a patent attorney by Kitano & Associates.
3. I am fluent in both Japanese and English.
4. I am very familiar with the present invention, the above-identified application, the Office Action dated February 12, 2002, and the references cited therein.
5. I reviewed the Kenchi et al. reference and the English Abstract. The last sentence of the CONSTITUTION section in the abstract of Kenichi et al. provided by the USPTO, "Since an impurity is not diffused except a p^+ -type layer 7 of the substrate 1 in the formation of a high energy implanted p^+ -type layer 7, the well 6 is the same as the formation on the substrate in which no p-type impurity exists" is incorrect. A correct translation is "Since, in forming the high-energy injected p^+ -type layer 7, the dopant is diffused in no region other than the p^+ -type layer 7 in the n-type substrate 1, the n-well 6 is formed substantially on the n-type substrate where the p-type dopant is absent."

6. Kenichi et al. describes that the concentration of the impurity in the n-well 6 is equal to the concentration of the impurity in the n-well 2. The n-well 2 and the n-well 6 are formed by implanting an n-type impurity in the n-type substrate 1.

7. Therefore, in Kenichi et al., the concentration of the impurity in the n-well 6 is higher than the concentration of the impurity in the n-type substrate 1.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 5 day of June, 2002

Tomoki Kubota

Kitano & Associates

Tomoki Kubota